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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

IN AN APPEAL UNDER SECTION 19 OF THE

ADMINISTRATIVE TRIBUNAL ACT, 1985

O.A. No. 350/1430 of 2019

SRI SUBIR MALLICK, Son of
Sri Sailendra Nath Mallick,
working as Loco Pilot Passen-
ger (Loco/Elec.) under CCC(R)/
SDAH/E.Rly., and residing at:
94/6, Rabindra Pally, New Barr-
ackpore, Kolkata-700 131.

..... Applicant.

- Versus -

1. UNION OF INDIA, through the
General Manager, Eastern Railway,
~~Block~~ 17, N.S. Road, Kolkata -
7000016

2. THE DIVISIONAL RAILWAY MANAGER,
Eastern Railway, Sealdah Division,
Sealdah, Kolkata - 700 014.

3. THE SR. DIVISIONAL PERSONNEL
OFFICER, Eastern Railway, Seal-
dah Division, Sealdah, Kolkata -

700 014.

4. THE SR. DIVISIONAL ELECTRICAL
ENGINEER (OPERATION)/SDAH Division,
SDAH, Kolkata - 700 014.

5. THE SENIOR DIVISIONAL FINANCE
MANAGER, Eastern Railway, Sealdah
Division, Sealdah, Kolkata-700 014.

..... Respondents.

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1430/2019

Date of Order: 02.12.2019



**Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member**

Subir MallickApplicant

Vrs.

Union of India & Ors.Respondents

For The Applicant(s): Mr. N.Roy, Counsel

For The Respondent(s): Mr. P.Bajpayee, Counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard Mr. N.Roy, Ld. Counsel for the applicant, and Mr. P.Bajpayee, Ld.

Counsel representing the respondents.

2. The applicant, claiming officiating allowance for working as Loco Pilot Passenger, i.e. in a higher grade, for the period from 2014-2017, has filed this O.A. to seek the following reliefs:

"(a) To issue direction upon the respondents to consider the representation dated 28.03.2019 for financial benefit according to IREMPARA-913 forthwith.

(b) To issue further direction upon the respondents to give financial benefit grant of officiating allowances to running staff in terms of Para-913 of IREM Volume-I forthwith.

(c) To issue further direction upon the respondents to give financial benefit along-with 12% interest of delayed payment to the applicant forthwith.

(d) Any other order or further order....."

(e) To produce Connected Departmental Record at the time of Hearing."

3. At the outset, Ld. Counsel for the applicant submitted that he would be satisfied if a direction is issued to the respondents to consider the representation dated 28.03.2019 (Annexure A-3) in a time bound manner.

4. Since, seeking identical relief, as claimed in this O.A., the applicant has already preferred representation on 28.03.2019 to the Respondent No. 3, i.e. the Sr. Divisional Personnel Officer, E.Railway, Sealdah, which is yet to be disposed of, and as no fruitful purpose would be served by calling for a reply in this matter, unless the representation is decided by the competent authority, we dispose of the O.A. with a direction upon the concerned Respondent No. 3 or any other competent authority to consider the aforesaid representation and issue a reasoned and speaking order in accordance with law within a period of 3 months from the date of receipt of copy of this order. In the event the applicant is found to be entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration by the respondents.

6. O.A. is accordingly disposed of at the admission stage itself. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

RK